

Mr. RICAUD demanded the yeas and nays, which were ordered and taken, and resulted as follows:

Affirmative—Messrs. Chapman, President, Riccaud, Chambers, of Kent, Mitchell, Donaldson, Wells, Randall, Sollers, Welch, Dickinson, Sherwood, of Talbot, Colston, James U. Dennis, Williams, Hodson, Miller, Sprigg, George, Carter, Thawley, Stewart, of Caroline, Gwinn, Brent, of Baltimore city, Ware, Fiery, John Newcomer, Davis, Hollyday, Slicer, Fitzpatrick, Smith, Shower and Cockey—32.

Negative—Messrs. Morgan, Blakistone, Hopewell, Howard, Dashiell, Hicks, Phelps, Bowie, Dirickson, McMaster, Hearn, Thomas, Gaither, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Sherwood, of Baltimore city, Schley, Michael Newcomer, Kilgour, Anderson and Brown—26.

So the Convention determined to strike out.

The question then recurred on the adoption of the amendment as offered by Mr. Stewart, of Caroline.

Mr. HOWARD begged to say a word, by way of explanation. He intended to vote against the amendment, and only upon this ground: that he had no idea of recommending any thing to the Legislature. What this Convention had said was an order for them to do what we thought right. And another reason was, because they had a law of forty years' standing upon the statute book. He had no idea of interfering with the rights of the people of the Eastern Shore. Ever since 1810, they had had one Senator, and this Convention recommended to the Legislature that the law should stand. Now he had no idea of recommending such a useless thing as to repeal a law which had been on the statute book for upwards of forty years.

Mr. BOWIE believed the act of the Legislature of 1809, as it stood now, was a constitutional exercise of power, and obligatory upon the State; and unless it was repealed, was in force. He believed that the recommendation was, *per se*, to repeal it; and therefore, if he was an Eastern Shore man, he would not be for touching the act of Assembly. He would rather stand upon the efficacy of the law.

The yeas and nays being ordered and taken, on the amendment of Mr. Stewart, of Caroline, resulted:

Affirmative—Messrs. Chapman, Pres't, Morgan, Hopewell, Riccaud, Chambers, of Kent, Mitchell, Wells, Sollers, Dickinson, Sherwood, of Talbot, Colston, Dashiell, Hicks, Hodson, Phelps, Miller, Dirickson, Carter, Thawley, Stewart, of Caroline, Davis and Kilgour—22.

Negative—Messrs. Blakistone, Donaldson, Randall, Howard, Welch, James U. Dennis, Williams, Bowie, Sprigg, McMaster, Hearn, Thomas, Gaither, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Gwinn, Brent, of Balt. city, Sherwood, of Balt. city, Ware, Schley, Fiery, John Newcomer, Michael Newcomer, Anderson, Hollyday, Slicer, Fitzpatrick, Smith, Shower, Cockey and Brown—35.

So the amendment was rejected.

The question then recurred upon the adoption of the amendment as offered by Mr. Brent, of Balt. city, as an additional section to the report.

Mr. BRENT, of Balt. city, (with the consent of the Convention,) amended the amendment by inserting after the words "senatorial term," the words "or the session succeeding the occurrence of the vacancy."

The question again recurred upon the adoption of the amendment as amended.

Mr. HOWARD would like to know whether any case ever happened that this was intended to prevent. He did not remember any such case.

Mr. BRENT, of Balt. city, said he would answer the question. There was nothing to prevent it happening as the Constitution now stood.

Mr. THOMAS remarked, it occurred to him as it did to the gentleman from Baltimore city, (Mr. Brent,) that the proposition did not seem to have had in view the occurrence of a vacancy in the Senate of the United States.

Mr. THOMAS observed, that the term of the United States Senator commenced, for instance, on the 4th of last March. Now, if a vacancy should occur thereafter, the Legislature could not fill it, because the session of the Legislature would occur after the term had commenced.

Mr. BRENT, of Balt. city, demanded the yeas and nays on the amendment, which were ordered, taken, and resulted as follows:

Affirmative—Messrs. Chapman, Pres't, Blakistone, Dickinson, Sherwood, of Talbot, Colston, Miller, Bowie, Sprigg, Stephenson, Nelson, Gwinn, Brent, of Balt. city, Sherwood, of Balt. city, Ware, Anderson, Hollyday, Slicer, Shower and Brown—19.

Negative—Messrs. Morgan, Hopewell, Riccaud, Chambers, of Kent, Mitchell, Donaldson, Wells, Randall, Sollers, Howard, Welch, Jas. U. Dennis, Dashiell, Williams, Hicks, Hodson, Phelps, George, Dirickson, McMaster, Thomas, Gaither, Biser, Annan, McHenry, Magraw, Carter, Thawley, Stewart, of Caroline, Schley, Fiery, John Newcomer, Michael Newcomer, Davis, Kilgour, Fitzpatrick, Smith, Cockey—33.

So the amendment was rejected.

On motion the Convention then adjourned until to-morrow morning 10 o'clock.

DEFERRED DEBATE.

GUBERNATORIAL TERM.

Remarks of Mr. Spencer, March 20, 1851.

Mr. SHRIVER moved for a division of the question, which was upon striking out.

Mr. SPENCER said that he was compelled to oppose the amendment offered by the gentleman from Baltimore county. It was yet an open question, whether the Governor should be elected for two or four years. The question had been passed over informally, on the motion of the gentleman from Queen Anne's, (Mr. Grason.) His (Mr. S's) opinion was, as far as his observation extended, that the people of Maryland, generally, were decidedly in favor of two years, and he entertained no doubt that such would be the voice of this Convention. Now, if the gentleman's amendment should be adopted, then the State's Attorneys would only hold office for two years. Gentlemen would be found, willing to accept the office of prosecuting attorney, by appointment, who would be unwill-